



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1644 AF #38

In re application of:) BOX AF
WALLACH et al)
Art Unit: 1644
Appln. No.: 08/485,129)
Examiner: R. Schwadron
Filed: June 7, 1995)
Washington, D.C.
For: ISOLATED DNA ENCODING TUMOR NECROSIS)
April 30, 2001
FACTOR BINDING PROTEIN II, ...)
Atty.'s Docket: WALLACH=5B

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

RECEIVED

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

MAY 02 2001

Sir:

TECH CENTER 1600/2900

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated January 30, 2001, of the Primary Examiner. The claims appealed are claims 11-13, 35-38, 43, 44, 46-49, 51-54, 56-61, 63, and 64.

The item(s) checked below are appropriate:

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

XXX The fee has been calculated as shown below:

☐ \$310.00

☐ \$155.00 (small entity)

XXX Not required (fee paid in prior appeal)

☐ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[] First - \$ 55.00
[] Second - \$195.00
[] Third - \$445.00
[] Fourth - \$695.00

Other Than Small Entity
Response Filed Within
[] First - \$ 110.00
[] Second - \$ 390.00
[] Third - \$ 890.00
[] Fourth - \$1390.00

month after time period set

month after time period set

[] Less fees (\$) already paid for months extension of time on .

☐ A check in the amount of \$ is attached. (Check No.)

☐ Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By

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